

**Amendments To Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A drive apparatus for performing a sequential recording for a write-once recording medium,  
the drive apparatus comprising:  
a recording/reproduction section for performing a recording operation or a reproduction operation for the write-once recording medium;  
a drive control section for controlling the recording/reproduction section; and  
a memory circuit for storing data to be recorded,  
wherein the drive control section performs a process including:  
receiving a recording instruction specifying at least data to be recorded;  
storing the data to be recorded in the memory circuit;  
defining data from a start location of the data stored in the memory circuit to ~~[[a]]~~ an end-point before a location corresponding to a next writable address as a first data portion;  
defining data from the location corresponding to the next writable address to an end location of the data stored in the memory circuit as a second data portion; and  
controlling the recording/reproduction section to record the second data portion temporally before recording the first data portion.
2. (Previously Presented) A drive apparatus for performing a sequential recording for a write-once recording medium, wherein  
the write-once recording medium includes a spare area and a user data area,  
the drive apparatus comprising:  
a recording/reproduction section for performing a recording operation or a reproduction operation for the write-once recording medium; and  
a drive control section for controlling the recording/reproduction section,  
wherein the drive control section performs a process including:

receiving a recording instruction specifying at least a location at which data is to be recorded;

determining whether or not an ECC cluster including the location specified by the recording instruction is replaced by a replacement cluster;

determining whether or not a read-modify-write process is required;

when it is determined that the ECC cluster including the location specified by the recording instruction is replaced by a replacement cluster and the read-modify-write process is required, determining a specific location in the user data area where access time from the recording location of the replacement cluster is less than or equal to a predetermined time as a recording location at which the data is to be recorded;

controlling the recording/reproduction section to record the data at the determined recording location.

3. (Previously Presented) The drive apparatus of Claim 2, wherein the recording location at which data is to be recorded is adjacent to the recording location of the replacement cluster.

4. (Previously Presented) A method for performing a sequential recording for a write-once recording medium using a drive apparatus,

wherein the write-once recording medium includes a spare area and a user data area,  
the drive apparatus comprising:

a recording/reproduction section for performing a recording operation or a reproduction operation for the write-once recording medium; and

a drive control section for controlling the recording/reproduction section,

the method comprising the drive control section performing the following steps:

receiving a recording instruction specifying at least a location at which data is to be recorded;

determining whether or not an ECC cluster including the location specified by the recording instruction is replaced by a replacement cluster;

determining whether or not a read-modify-write process is required;

when it is determined that the ECC cluster including the location specified by the recording instruction is replaced by a replacement cluster and the read-modify-write process is

required, determining a specific location in the user data area where access time from the recording location of the replacement cluster is less than or equal to a predetermined time as a recording location at which the data is to be recorded;

controlling the recording/reproduction section to record the data at the determined recording location.